



In the  
**Indiana Supreme Court**

IN THE MATTER OF THE )

APPROVAL OF LOCAL RULES )

FOR OWEN COUNTY )

Case No. 60S00-0709 -MS- 355

ORDER APPROVING AMENDED LOCAL RULES

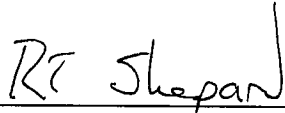
The Judge of the Owen Circuit Court requests the approval of amended local rules for caseload allocation in accordance with Ind. Administrative Rule 1(E). Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Owen Circuit Court, this Court finds that the proposed rule amendments, LR60-AR1(E)-1 and LR60-AR1(E)-2 comply with the requirements of Ind. Administrative Rule 1(E), and, accordingly, should be approved and posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website at least thirty (30) days prior to taking effect on January 1, 2008.

IT IS, THEREFORE, ORDERED by this Court that amended Local Rules LR60-AR1(E)-1 and LR60-AR1(E)-2 for Owen County Circuit Court, set forth as an attachment to this Order, are approved effective January 1, 2008. The Clerk of this Court is directed to post a copy of the amended rules on the Indiana Judicial Website at least thirty (30) days prior to January 1, 2008. The Clerk of this Court is further directed to forward a copy of this Order to the Hon. Frank M. Nardi, Owen Circuit Court, P.O. Box 86, Spencer, IN 47460-0086, and to the Clerk of the Owen Circuit Court.

The Clerk of the Owen Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Court, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website at least thirty (30) days prior to January 1, 2008.

DONE at Indianapolis, Indiana, this 10<sup>th</sup> day of September, 2007.

  
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Randall T. Shepard  
Chief Justice of Indiana

STATE OF INDIANA )  
 ) SS:  
COUNTY OF OWEN )

IN THE OWEN CIRCUIT COURT

CAUSE NO. 60C01-0603-MJ-107

**FILED**  
IN OPEN COURT

AUG 08 2007

IN THE MATTER OF  
LOCAL RULES OF THE  
OWEN CIRCUIT COURT

ORDER

OWEN CIRCUIT COURT

Pursuant to Indiana Administrative Rule 1(E), the Court now re-adopts the following local Rules as the Caseload Allocation Plan for the Owen Circuit Court, subject to the approval of the Indiana Supreme Court. In re-adopting these rules, the Court notes that Owen County has one circuit court, which Court has a Small Claims and Minor Offenses Division. This division of the Court is served by a court referee. There are no other courts within Owen County to compare caseloads with. Accordingly, the caseload allocation plan previously developed by this Court remains an effective manner in which to allocate the court's caseload. These local rules read as follows:

LR60-AR1(E)-1 Evaluation of Workload Information

The Judge of the Owen Circuit Court and the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court shall meet and evaluate their respective caseloads on January 10<sup>th</sup> of each year and June 10<sup>th</sup> of each year to determine whether any disparity in their respective caseloads requires adjustment and allocation of judicial resources. At the present time the Small Claims, Traffic, and Misdemeanor Division processes all Small Claims, Infractions, predisposition hearings for all misdemeanors and certain felonies. The Circuit Court processes all criminal cases at the guilty plea, trial, and disposition phase as well as all other types of cases. At the present time, the caseload is distributed proportionately and appropriately after considering the types of cases, the quantity of cases and the respective hours in which each Court is in session. The Judge of the Owen Circuit Court and the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court will meet and discuss their respective caseloads from time to time throughout the year and adjust caseloads as necessary to reduce backlog and delays in Court disposition.

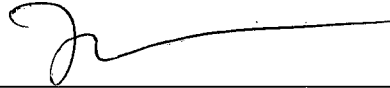
LR60-AR1(E)-2 Remedies in regard to Disproportionate Caseload

1. If the Judge of the Owen Circuit Court and the Referee of the Small Claims and Minor Offenses Division of the Owen Circuit Court determine a disparity in caseload, the Court will address the issue in the following fashion:
  - a. The Court will use appointments of Judges Pro-tempore to allow time for research and disposition of cases not otherwise available due to congestion in the docket.
  - b. The Court will request assistance of a Senior Judge to allow the Referee and Circuit Court Judge time to address matters under advisement and otherwise reduce the delay in case backlog.
  - c. In the event that provisions (a) and (b) are not adequate to address the problem, the Court will proceed under the regional plan approved for

Administrative District 10 and request the services of another Judge in said District.

(This rule has been modified. The original rule was approved by the Indiana Supreme Court on September 30, 1999.)

ALL ORDERED THIS 8<sup>TH</sup> DAY OF AUGUST, 2007.



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FRANK M. NARDI, JUDGE  
OWEN CIRCUIT COURT